

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
Western Division  
Docket No. 5:01-CR-109-3H**

**United States Of America**

**vs.**

**Thomas Davis III**

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**O R D E R**

On this the 7th day of January, 2013, comes Timothy L. Gupton, U.S. Probation Officer, who shows the court that Thomas Davis III appeared before the Honorable Malcolm J. Howard, Senior U.S. District Judge, at Greenville, on March 20, 2002, and upon a plea of guilty to three counts of Armed Bank Robbery, in violation of 18 U.S.C. §§ 2113(a) and (d), one count of Brandishing a Firearm During and in Relation to a Crime of Violence, in violation of 18 U.S.C. § 924(c)(a)(A)(ii), and four counts of Aiding and Abetting, in violation of 18 U.S.C. § 2, was sentenced to a 102-month term of imprisonment, to be followed by 5-year term of supervised release.


Thomas Davis III was released from custody on September 22, 2008, at which time the period of supervised release commenced in the District of Maryland.

On December 19, 2012, a Motion for Revocation on Offender Under Supervised Release Supervision was filed alleging that the defendant failed to pay a monetary obligation (restitution), and a Revocation Hearing was subsequently scheduled for January 10, 2013. On January 3, 2013, Davis signed an Probation Agreed Final Order in Garnishment, agreeing to pay \$125 per month beginning on February 1, 2013. It is noted that the Order will be sent to the court for signature and approval once the original document is received from the District of Maryland.

It now appears that the ends of justice would best be served by vacating the Motion for Revocation on Offender Under Supervised Release Supervision, and continuing supervision under the original terms and conditions imposed in this case.

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that the Motion for Revocation be vacated and declared void.

This the 7<sup>th</sup> day of January, 2013.

  
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Malcolm J. Howard  
Senior U.S. District Judge